

**BEFORE THE UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

**Mountain Valley Pipeline, LLC
Southgate Project**) **Docket Nos. CP19-14-000 and
PF18-4-000**

**MOTION TO INTERVENE
OF THE SAPPONY TRIBE**

Pursuant to rules 212 and 214 of the Federal Energy Regulatory Commission’s (“Commission”) Rules of Practice and Procedure, 18 C.F.R §385.214 and §385.211, the Sappony Tribe (“Tribe”) files this motion to intervene in this proceeding.

For the reasons provided below, we ask the Commission to allow the Tribe to intervene and participate as a party in this proceeding. This request is in addition to the Tribe’s previous request to be a consulting party in the Section 106 process.

I. COMMUNICATIONS AND SERVICE

All communications, pleadings, and orders with respect to this proceeding should be sent to the following:

Marion F. Werkheiser, Attorney at Law
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II. INTEREST OF PETITIONER

Construction, operation, and maintenance of the proposed pipeline will adversely affect the Tribe. The Tribe, which has been recognized by the State of North Carolina and the Commonwealth of Virginia, seeks to intervene as a sovereign nation, and under the laws of the United States allowing for tribal consultation. The proposed pipeline will directly and adversely affect the Tribe’s ancestral and current lands, historic properties, human burials, and natural and cultural resources. 54 U.S.C. § 302706(b), 36 C.F.R. § 800.2(c)(2)(ii).

Any decision FERC makes with respect to this project will materially affect the Tribe as it has historically, and continues today, to have a strong presence in the Area of Potential Effects (APE). The Tribe has long inhabited the areas Southgate proposes to cross and attaches deep cultural significance to much of the right-of-way. The Tribe is also concerned about potential environmental impacts, such as effects on water quality and wildlife, that hold cultural significance to the Sappony.

The Tribe has important information and perspectives to bring to this process, consideration of which will serve the public interest. These interests include preservation of tribal culture, artifacts, historic properties, and natural resources in ancestral and current tribal areas. The Tribe also has a profound interest in protecting the sanctity of Sappony ancestors' final resting places.

III. TIMELINESS

This motion to intervene is filed 21 days after the end of the time period established under Rule 210 due to an administrative oversight. No other party can adequately represent the Tribe's interests. The Tribe has already requested to be granted consulting party status in this proceeding, so existing parties are aware of the Tribe's interests. Intervention at this early stage will not prejudice the rights of any other party. Granting this intervention will result in little to no disruption in the proceeding or additional burden on FERC, the parties, or the applicant. Because of the short delay, the holiday season, the sovereign status of the Tribe, and the significance of the public interest at stake, the Tribe respectfully requests that the time limitation be waived in this case.

IV. CONCLUSION

Wherefore, the Sappony Tribe respectfully requests that the Commission grant its Motion to Intervene as a party with full rights to participate in all further proceedings.

Respectfully submitted,

A handwritten signature in blue ink that reads "Marion F. Werkheiser". The signature is fluid and cursive, with "Marion" and "F." on the first line and "Werkheiser" on the second line.

Marion F. Werkheiser
Attorney at Law
Counsel to the Sappony Tribe